

# WHOSE CONTEMPT?

THE three papers which were prosecuted by the Government for contempt of court because they published the name of Colonel H.A. Johnstone were found guilty by the High Court last week. The Lord Chief Justice and two other judges heard the case against Peace News, the Leveller and the Journalist on 2-5 May and gave judgement on 19 May. They agreed against all the evidence that the papers had committed contempt of court, and fined Peace News and the Leveller £500 each and the Journalist £200. The individual members of the papers' staff were not fined, and no order was made about costs. Peace News and the Leveller, which have no funds, will probably raise the fines by appealing to sympathisers for support; the National Union of Journalists, which publishes the Journalist, is more likely to take the case further by appealing to the House of Lords.

The hearing concentrated on the circumstances in which Colonel Johnstone gave evidence as 'Colonel B' in the committal proceedings against Aubrey, Berry and Campbell last November, and on the question whether the Tottenham magistrates' agreement that his name should not be given in the court implied a direction that it should not be revealed outside the court. Despite the universal assumption of the authorities and the media, the defendants were able to show without difficulty that the magistrates had given no explicit direction, for the simple reason that the Clerk of the Court told them they had no power to do so. The prosecution then applied to alter its case, accusing the defendants of breaking a 'procedure' rather than a 'direction.' The defence objected, and the judges rejected the application. But they still accepted the prosecution case, deciding that it is contempt of court to frustrate the intention of the magistrates even if they have no power to make an actual direction, and that when a witness's name is withheld

the court is in effect sitting in camera.

Even in strictly legal terms this is a ridiculous case. What makes it ridiculous in any terms is of course that Colonel Johnstone's name was given in Parliament on 20 April, and then circulated throughout the country on radio and television and in the national press. Even in strictly political terms it will not deter Peace News and the Leveller from continuing to attack the issue of official secrecy in general and the Aubrey/Berry/Campbell case in particular; moreover it has now involved the National Union of Journalists in a rare intervention into the basic issues of the freedom of the press.

This was the theme of a public meeting held by the Leveller/Peace News Defence Committee at Conway Hall on 18 May. An audience of about a hundred heard several speakers under the chairmanship of Dave Clark (of the Leveller) discuss various aspects of the case. Jo Richardson (a left-wing Labour MP) gave a straight social democratic speech against official secrecy and for freedom of information. John Berry (one of the defendants in the Aubrey/Berry/Campbell case) gave a brief account of his involvement in and alienation from Signals Intelligence. Albert Beale (of Peace News) described the contempt case. Ron Knowles (editor of the Journalist) made a funny but fighting attack on all the political interests which threaten the free press. Leon Rosselson sang some songs. Denis MacShane (vice-president of the NUJ) rather hysterically compared the situation in Britain with that in various dictatorships, and made the appeal for money - raising about a hundred pounds. Phil Kelly (of the Leveller) described the system of Signals Intelligence, for investigating which Mark Hosenball was deported last year and Aubrey/Berry/Campbell are being prosecuted this year. And Paul Foot (editor of the Socialist Worker) made a rhetorical



speech calling for continuing defiance of all attempts to prevent press freedom.

Unfortunately there was no time for discussion, since the audience included several people who had themselves been involved in Signals Intelligence or in publishing official secrets, or who could have challenged some of the simplistic assumptions being made. But fortunately, at least for the time being, there is a general coalition of liberals, social democrats, revolutionary socialists and libertarians of various kinds which will continue to name Colonel B, investigate Signals Intelligence, publish official secrets, maintain the freedom of the press, and do whatever else is necessary to ensure that Britain does not become a dictatorship. The next stage will presumably be the Aubrey/Berry/Campbell trial next autumn.

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## LANCASTER MEETING

AS THE Conference/Meeting is only six weeks away we invite all comrades who intend to come to let us know the following as soon as possible:

How many will attend?

How many children? (A crèche is being organised).

Will you be coming in your own transport\* and if so can you provide a lift for other comrades either from Lancaster to Clapdale Farm or, if convenient, from their home to Clapdale? Should the event be well attended there may be the need for some of us to sleep outdoors. A tent would be useful.

Food. We hope to raise some money to provide food, which will be vegetarian. As we cannot yet estimate numbers (this is what this letter hopes to achieve) it will be difficult to know just how much food is required. In case

we underestimate, it would be useful to bring some food along. There is a large kitchen in the farm.

The Conference/Meeting will be on the weekend of Friday June 16th to Sunday the 18th. Friday evening is planned as a general meeting in which people can meet others of similar interests and thereby structure their own workshops for the weekend. This group's interests are: Patriarchy; direct action in the forthcoming general election; the need/desirability of a definite anarchist presence at demos, pickets, etc.

Please let us know your desires so we can circulate interests before the Conference/Meeting.

LANCASTER ANARCHISTS,  
91 Main Road,  
Galgate, Lancaster.

\*Approaching Lancaster from North, turn off the M6 at Junction 36 onto the A65 straight through to Ingletton and then on to Clapham.

From the South, follow M6 to Junction 34 then turn right onto A683 (via Caton, Clay-

ton, Hornby, Melling) until it meets the A687. Take A687 via Cantsfield, Burton, Ingletton to Clapham.

CLAPDALE FARM where the conference is to take place is 1½ miles from Clapham village. So turn off A687 into village and look for 'Clapdale Farm' signs which will be put up.

## CHEL TENHAM MAY 27 'B' THERE!

DAY OF ACTION!

CHEL TENHAM IS THE BASE FOR GOVERNMENT COMMUNICATIONS HEADQUARTERS (G.C.H.Q.) THE HUB OF THE SECRET & ILLEGAL SIGINT ELECTRONIC EAVESDROPPING NETWORK. 'COLONEL B' IS A FORMER SIGINT OFFICER AND AUBREY, BERRY & CAMPBELL FACE UP TO 14 YEARS IN PRISON FOR INVESTIGATING SIGINT ACTIVITIES.

ABC DEFENCE CAMPAIGN, 15, James Street, WOL



# GERMANY: THE AGIT CASE

WHILE at home we have been preoccupied, where trials go, with the bizarre consequences of Official Secrecy, censorship in the Federal Republic of Germany is being directed against left-wing and anarchist publications in an open attempt to prevent discussion or analysis of political violence.

As FREEDOM readers may remember from last year Trikont of Munich, publishers of 'Bommi' Baumann's book *Wie alles anfang* about the origins of the 2nd June Movement, were charged with advocacy of violence for publishing the book. (The proceedings recently ended in the strange verdict that while actual publication should not be punishable, this did not apply to advertisement of the book -!- and the publishers were fined). Since then the new 'muzzle' law article 88a has been introduced. This makes it easier for the state prosecution to bring and prove charges by criminalising those in any way involved in distribution of written material hostile to the Constitution. The first conviction under this new law took place in Cologne on 16 May when Friedhelm Becker, former director of Der andere Buchladen (The Other Bookshop, which sells a wide range of left-wing and anarchist literature) was given a 3 month suspended sentence for stocking the paper *Revolutionärer Zorn* (Revolutionary Rage), while being acquitted of criminal association. Organ of the Revolutionary Cells, guerrilla groups which have sprung up in the vacuum left by the RAF and 2nd June and which, through acts of sabotage, have applied themselves to a wider social spectrum, including attacks against nuclear power stations, the issue of RZ in question was dated May 1976 (no. 2), the month of Ulrike Meinhof's death, and contained a practical guide to acts of resistance against state repression.

Only a short time ago a Maoist student Hans Heinrich Sautmann had been imprisoned pending trial for 'defamation of the State' - putting up a placard at an information stand in Munich attacking the equivalent of Britain's SAS, GSG-9 and their role at Mogadishu, and referring to the liquidation of revolutionaries in German prisons - and two students from Göttingen were found guilty of 'defamation of the State' and 'defamation of the memory of a deceased person' by publishing the now famous 'Buback-obituary' (see FREEDOM, 1 September 1977). This article, written by an anonymous anarchist signing him/herself 'Mescalero' actually criticised the assassination of Buback but was deliberately cited out of context by the establishment press (which had no qualms about publicising it) to distort its contents.

More seriously still, three printers have now spent 8 months in Berlin prisons awaiting trial for allegedly supporting organisations such as the RAF through publication of their material. JUTTA WERTH, HENNING WEYER and GERDI FOSS are members of the Berlin-based Agit-Druck collective, founded in 1969 and which prints the weekly *Bug-Info*, paper of the Berlin Undogmatic Groups. *Bug-Info* publishes liberal, left-wing and anarchist material without applying editorial control.

FREEDOM FOR THE AGIT PRINTER!



In the words of the Solidarity Committee for the Release of the Agit Printers, the collective helps "groups that would otherwise suffer great financial difficulties getting their materials printed by charging low prices, offering fast service and working on holidays and on week-ends. Agit prints for the GEW (teachers' union), postal union, Humanistische Union (civil liberties group), tenants' groups, community action groups, groups within the Evangelist church, university groups, women's groups, anti-nuke groups and organisations for foreigners." The paper *Bug-Info*, a weekly since 1973, has no fixed editorial staff and works as a medium for discussion and information exchange. Part of its role lies in assuring a forum for the discussion of political violence by printing texts from guerrilla groups like the RAF, 2nd June and Revolutionary Cells; in consequence it has suffered a number of police raids. Again, to quote from the Solidarity Committee:

"The Agit Printers' Collective had printed *Info-Bug*, along with other material, on a regular basis and without censoring it. The prosecutors now see a parallel between the beginning of Jutta's, Gerdi's and Henning's work at Agit (from the start of 1977) and the accusation that *Info-Bug* had become the main publishers of communiques from the Red Army Faction and other guerrilla organisations ... Thereby Agit is supposedly the headquarters for the printing and distributing of guerrilla groups' propaganda.

"This argument is further based on the fact that Jutta, Gerdi and Henning had been active in prisoners' aid groups (Rote Hilfe and Prozessbüro). These prisoners' aid groups, according to the liberal magazine *Der Spiegel*, are full of terrorist 'sympathisers' ... Their having identified with the printed arguments is seen by their failure to censor the articles, which are illegal under article 88a." The printers' statement that "We want to make it clear that an act of censorship would mean the demoralisation of the left - we cannot fight censorship laws by censoring ourselves!" is being turned against them by the prosecution. A further piece of evidence is the supposed close personal relationships of the Agit printers with people from the editorial group of *Info-Bug*, not known by name.

As mentioned above, the three printers have now been in gaol for 8 months. Release pending trial was refused, partly on the grounds that they could expect a long prison sentence (18 months or longer) and there was therefore considerable

risk that they would try to abscond!

The printers are faced with a number of charges, including support of a criminal association (the classical political charge 129a), the muzzle law 88a, open invitation to commit crime (111) and advocacy and approval of violence (140). The trial is finally due to begin this month.

These are only some of the cases involved in the current state campaign against press freedom in the Federal Republic and against the possibility for informed discussion on questions of vital importance to all comrades. Other examples are given below. It is a matter that requires no commentary other, perhaps, than a passing reminder of what Prussian judge Massow said in 1906 ...: "To establish libraries for the people is dangerous. Then the State no longer has the freedom to restrict what is read outside school boundaries."

**IMPRISONED:** Gerd Schepel of Politladen Erlangen. 2 years' gaol for printing *Struggle* against Liquidation in Prison and for distributing the *Anarchist Cookbook* (offence against the weapons law).

**ACQUITTED:** Thomas Kram, bookseller from Bochum, tried under 88a for selling *Revolutionärer Zorn*.

**CONFISCATED:** The book *Haymarket 1886* on the German anarchists in Chicago; the Munich paper *Blatt; Roten Kalenders 75* which stated that Georg von Rauch had been murdered by the police; the book *Stadtguerilla und soziale Revolution* which contains essays by the Frenchman Emile Marenssin and Peter-Paul Zahl, serving a 15-year sentence in Werl; *Holger, der Kampf geht weiter* (Holger, the struggle goes on) and *Terrorurteil gegen Lothar Gend* (Terror sentence against Lothar Gend). As well, of course, as the above-mentioned titles.

And most recently a story in the liberal daily *Frankfurter Rundschau* revealed that state security officials had distributed among border guards at airports for purposes of checking the political identity of passengers, a list of as many as 287 'suspect' publications and 239 associations ranging from 'extreme' to 'respectable' liberal. The revelation has caused the Federal Interior Minister to retire in at least temporary confusion.